



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,179	12/28/2001	Takehiro Kaminagayoshi	100809-00114(SCEY 19,304)	7320
26304	7590	05/03/2005	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			KOROBV, VITALI A	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/033,179

Applicant(s)

KAMINAGAYOSHI, TAKEHIRO

Examiner

Vitali Korobov

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

Claims 13 – 19 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 13 – 19 are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent No. 6,480,885 B1 issued to Olivier, Michael (hereinafter Olivier).

With respect to claim 13, Olivier teaches a network communication system comprising: a plurality of user's terminal devices which are provided with information extracting means for extracting user's information from input information (Col. 5, lines 23 – 26, Fig. 2, block 208 – extracting of user information), object forming means of forming an object corresponding to the user's information extracted by the information

Art Unit: 2155

extracting means (Col. 5, lines 26 – 27, where user object - a database record; Fig. 4, subscription form for extracting user information), and communicating means, which is connected with predetermined network, for adding the user's information to the formed object and transmitting the object to which the user's information is added via the network (Col. 5, lines 1 – 5, user information is added to the database via network of a service provider); and an information processing equipment which is provided with storing means for storing the object transmitted via the predetermined network by the communicating means of the terminal devices and the user's information added to the objects (Col. 5, lines 26 – 27 – storage of user information), detecting means for detecting the object whose information of the users are identical with each other or close to each other by executing collating processing of the user's information of each object stored in the storing means (Fig. 2, block 212 – matching users; Col. 5, lines 27 – 32), and transmitting means for transmitting the information concerning collating result via the predetermined network to the terminal device of respective users of the object detected by the detecting means (Col. 10, lines 16 – 23; col. 14, lines 29 – 33 – results of matching (collating) are transmitted back to the user).

With respect to claim 14, Olivier teaches the network communication system according to claim 13, wherein the user's information is formed from information indicating at least character or taste of each user (Col. 11, lines 12 – 14; Fig. 4, block 416 indicates user's distaste for “for sale” messages).

With respect to claim 15, Olivier teaches the net communication system according to claim 13, wherein the user's information input to the user's terminal device

Art Unit: 2155

is formed from sentence information, the information extracting means extracts strings indicating at least character or taste of the user from the sentence information, and the object forming means forms objects corresponding to at least character or taste of the user based on the strings extracted by the information extracting means (Col. 6, lines 38 – 42 – inference engine; col. 20, lines 7 - 12).

With respect to claim 16, Olivier teaches the net communication system according to claim 15, wherein the sentence information input to the user's terminal device is formed from sentence information of electronic mails of respective users (Col. 6, lines 38 – 42).

With respect to claim 17, Olivier teaches the net communication system according to claim 13, further comprising: communication control means for making it possible to perform at least chat between the respective users by connecting communication lines between the respective users to which the collating result is transmitted (Col. 23, lines 26 – 27, 32 – 35).

Claim 18 is rejected in view of the above rejection of claims 13 - 17. Claim 18 is essentially the same and has the same scope as claims 13 - 17, except that it sets forth the invention as a method rather than a system, as do claims 13 – 17.

Claim 19 is rejected in view of the above rejection of claims 13 - 17. Claim 19 is essentially the same and has the same scope as claims 13 - 17, except that it sets forth the invention as a computer-readable recording medium having recorded therein a net communication program rather than a system, as do claims 13 – 17.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR § 1.111(c).

U.S. Patent No. 6,819,919 B1 by Tanaka. The patent is considered pertinent to the applicant disclosure because it teaches a method for providing a matching and introduction services to proximate mobile users and service providers.

Patent Application number DE10040948 by Arya, Rajesh, dated August 11, 2000, This patent publication is considered pertinent to the applicant disclosure because it teaches a system whereby users of a service who are located in a common environment are introduced to each other after a partner search and suitability test.

U.S. Patent No. 6,745,178 B1 by Emens et al. The patent is considered pertinent to the applicant disclosure because it teaches an Internet based method for facilitating networking among persons with similar interests.

U.S. Patent No. 6,163,799 A by Kambayashi et al. The patent is considered pertinent to the applicant disclosure because it teaches a communication navigation system which finds persons who have similar interests.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

Art Unit: 2155

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov  
Examiner  
Art Unit 2155

April 28, 2005

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100